G.R.S. IX—5]

Previous references
387—C. Vol-14

1922.
(Inwards)

File No. 372—22

Serial Nos. 1—4

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 4

Part B for August 23

SUBJECT

Archakship of Lakshmidevamma alias Muthamma
Hindi yamma Sarvamanya Hargavadanashakti
in Mage Holenarasipur Tk

---

* To the Mysg Govt
No 207 & 11-8-23
in re appeal

9/(be)

Printed on the Multigraph

GENERAL AND REVENUE SECRETARIAT.

(Inez.)

NOTES.

File No.

FILE HEADING.

Archakship of Lakshmidevamma alias Ramana Mudigavana in Sarvamanya Hargovdanahalli Village, Hole-Narasipur Taluk.

From

The Villagers - Puttiah and Ors.

~~No.~~ Petition Dated Received 13. 3. 23

Diary No.	Enclos.	Spare Copies.	Serial No.
1484	/	-	/

BRIEF ABSTRACT OF LETTER.

Appeal against the Dy. Comrs order in the matter of the appointment of a Pujari to the institution

NOTES AND ORDERS.

3 Petition is duly Stamped. A Copy of the Dy. Comrs. order appealed against has been produced. In para 7, the petr has shown that his appeal is in time. A draft

G. R. S. III-2

General and Revenue Secretariat

File No. of 19

Serial No	
	calling for a report & records from the Dist. Court is sent.
	22.3.23 24/3/23
2	No 2576 of 31/8/23 to the Dist. Comm. for the petn. for a report
3.	From, the Inspr. Genl. Letter no. C 1618 of 7.7.23. Reports that the temple in question being a non-hereditary, the Dy. Comr. orders declining interference seems to be proper. Inspr. J. no. 384-07 c.s. the Subject is submitted. Comr. on previous occasion, in connection with a similar dispute relating to the Pujariship of this temple, the late members Mr N.A. Narasimha heard the contending [illegible]

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 19

Serial No.

Declines interference
grounds that
a non-
Submit for
[illegible]
12).7.23.

The order of the Dy. Commr ~~declining~~ appears to be quite correct. The appeal may be rejected.

Rev. Secy) 13/7/23

30/7/23

Appeals against
Order passed by Dy Commr
in Muzrai matters lie to
Govt (Vide Chapter IV of the Muzrai
Regulation and item 2 of
Col C of the Schedule appended to
Govt. Order 23/25 September 1922).
As the temple in this
is a non-Muzrai institution it
appears true that the Muzrai Commr
has entertained the appeal.
Second member)

But the appellant
contention must be
in a Court of law
on such. The appeal
may be rejected
760.
L 31.7.23.

NOTE—Contn. sheet.

R 3 III J

General and Revenue Secretariat.

File No [illegible] of 19

Serial No

It has been already decided by Govt to [illegible] in all a Tenancy Proclamation and it is not desirable to delay any drastic Order in regard to certain of the Conclusions of this appellants Court. Time & circumstances have passed the Govt already & the case would not warrant for Govt to [illegible] a Tenancy Proclamation Commission to enquire

As this temple is not a Tenancy Commission ~~Govt Counsel~~ Court appointed by Govt have powers & interference under the Tenancy Act in the matter of Pujas Utsavas & Dasavidha Archanas & Nivedyas which are Conferring Govt & Temple Trustees & Archakas part of the appellants on the ground for which & Jurisdiction [illegible] under the proper one in this case

An Endorsement with Compliments as moved by Govt Pleader & Enquiry Court may for the reasons mentioned above Govt appeal is rejected

Draft
dcg
3/8/23

Dr. Srikanth

4.8.23 : 4/8/23

Issue
dcg
4/8/23

2/8/23

NOTE—Contn. sheet

G. R. S. III. 2]

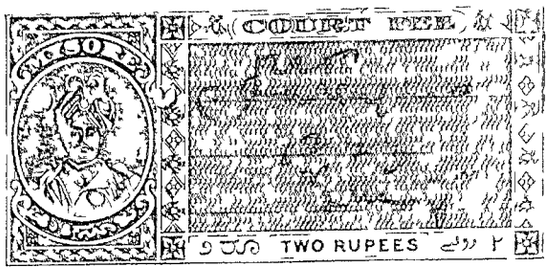
Muzrai Secretariat	Muz. File No. 372 of 192

Serial No.	
4	

NOTE—Contn. sheet

WD 0561—GPB—3750—1-8 22

33424



Rev
suit

Before the Government of His
the Maharaja of Mysore Mysore

Bangalore

Kunigal appeal No of 19 - 3

Appellants Villagers of Sasivanne
Haragodnahalli village in the
Kadnur Hobli, Hole-Narasipur Tq.

The appellants beg to submit
following appeal against the
8/12/1922, passed by the Dy. Com
Hassan District, upholding the or
the Revenue Subdivision office, Hole
Narasipur, Subdivision, dismissing
the application filed by the petitioners
regarding the appointment of a Pujari
to their village deity called Lakshmi
Devamma alias Muttina Thayamma
of the Said Haragodnahalli village
on the following among other grounds
1) That as the Temple in question
is endowed with godi land as is
born out by the godidar patta
and other Statement

institution comes under the category of Mauzari Institution The required copies in support of my contention will be filed after obtaining the same back from the Hole-Narsipur Municipality Court.

2 That the Municipality of Hole-Narsipur has, in OS No 576 of 1922 Harinaya & Jogi &c held that the temple in question is a Mauzary Institution and disputes relating to Pujari-Shipe &c have to be enquired into and decided by the Mauzari Authorities.

3. That thus it will be seen that Mauzari officers have to enquire into these matters.

4. That when the benign Government passed the order in No 825 Dated Mauzari 337-08-14 27. 9. 1920, all the facts pertaining to the Institution were not available.

5. That even conceding for the sake of argument that the Institution is non-Mauzari nothing prevented an enquiry and decision by the Mauzarai authorities under Section 35 or 36 of the Mauzari Regulation, as ordered by the Deputy Commissioner Mr B. Venkata Rao in Mauzari appeal No 2 of 1920-21, as these two Sections apply to Non-Mauzari Institutions. (6)

6) That the order under appeal [illegible] the learned Deputy Commissioner is [illegible] law, facts and previous [illegible]

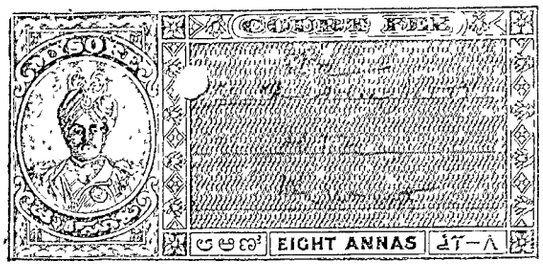
7) That copies of the ~~Settlement~~ [illegible] accounts to shew that the [illegible] enjoys godi land as recognized by Government and copy of decision in OS 596 of 1921-22 on the file of the Munsiff Hole-Narsipur will be filed on the date of hearing of the appeal

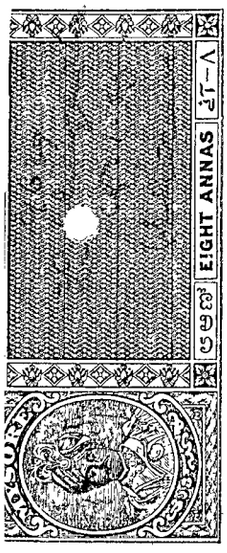
8. That in view of the foregoing facts the appellants pray that the order under appeal may be set aside and the case remanded to the Deputy Commissioner for enquiry and decision according to law.

9) That the order under appeal was passed on 8/12/1922, and the copy applied for on 21/12/22, ~~and~~ ~~the~~ ~~same~~ was ready on 2/1/23 ~~[illegible]~~ but delivered on 16/1/23. Thus the appeal is in time.

10. That an authenticated copy of the order under appeal is here with submitted.

The appellants beg to [illegible]





In the Court of the Deputy Commissioner
Hassan District.

Mujrai's appeal case No. 2 of 1922-23

Petitioners:- [illegible] of Hanagodinahalli
Holenarsipur Taluk.

Subject:- This is an appeal preferred by the petitioners against the order of the Sub Division Officer, Holenarsipur Sub Division, rejecting their petition praying that the deceased Pujaris Kappanna family be deprived of the Pujarish of Muttina Mudigamma temple Hanumanadanahally village, ~~Channarayapatna~~ Hobli

Facts of the case:- The temple of Muttina Mudigamma alias Lakshmidevi is situated in the Suvamanya village of Hanagodinahally, Holenarsipur Taluk the temple is neither getting cash grant nor endowed with inam lands. The records disclose that land measuring 3 acres and 15 guntas assessed at Rs 2/- is in the Whole of the temple by hereditary [illegible] 15 years back [illegible]

also claimed the puja hak of the temple seems to have been appointed as an additional pujari for the temple by the Huildar of Holenarsipur Taluk, whose action was also approved by the Deputy Commissioner. Kappanna preferred an appeal to Government against the order of the Deputy Commissioner. Government after observing that as both parties admitted that the temple had no usage given or recognised by Government and as the Mamlatdar's report was to the same effect, the dispute about the pujari office of such a temple (which not a Mazrai institution) could not be determined in the Mazrai department, reversed the orders passed in that case and directed the parties to have their dispute determined in a proper Court having jurisdiction (vide G.O No. 825 dated 27-9-1910) Upon this, the deceased Kappanna filed a suit in the Holenarsipur Munsiff's Court. He was declared to be the sole hakdar for the puja of the temple (vide O.S. No. 337 of 1911-12). The villagers of Nagodanahally and other villages began

Mung 38-08

global from the year 1912 to [illegible]
were two pujaries for the temple [illegible]
a long time, that the Deputy Commissioner
had ordered for the removal [illegible]
two pujaries for the temple that by
fraudulent means, the deceased Kappanna
obtained the decree in the Munsiff's Court
inducing him to the sale deed of the
pujarieship, that they were not going
to the temple as the deceased Kappanna
who was performing the puja in the
temple was living with his mother and
sister who were excommunicated on
account of their immoral character so
that the pujari might remove
from the pujarieship necessary en-
quiries were instituted in the mat
and the deceased Kappanna was call
upon to produce "Shuddapatrika". If
the Archak failed to produce Shudd
patrika" in the given time the then Sub
Division Officer, Mr. T. Venkataramaiya
ordered on 29-4-1919 the temporary remova
of the pujari till he produced the
document. When the Shuddapatra
was produced by the Archak, Mr. [illegible] B.
who succeeded Mr. Venkata Ramaiya ord
on 5th February 1920 that in pursuance of
Govt. order of 1910, that nothing could be
done in the matter in the

Against this order the villagers of the aforesaid appealed to the Deputy Commissioner and orders were passed in Mukkuvar case No. 2 of 1920-21 that it is open to the villagers to move for action under Section 35 or 36 of the Mukkuvar Regulation as the case may be when the Sub Division Officer will pass orders according to Law on this the villagers presented a petition to the Malaimissionary Sub Division Officer praying that Kappamma's family might be, deprived of the Kaipar-Swip of Muttima Nandiyamma temple. The Sub Division Officer ordered on 15th July 1920 that as the institution was not a Mukkuvar one Section 36 of the Mukkuvar Regn does not confer jurisdiction to the Mukkuvar Officer on non-Mukkuvar institutions. The petition was accordingly dismissed. It is against this order, an appeal has been preferred by the villagers to this Office.

Copy appeal for the appellant had to appear on 2. Copy received by appellant on 2-1-1923 Memorandum of appeal on 16th Jan 1923 Copy of proceedings Copy delivered on 16 Jan 1923 Fee of Rs. 1-8-0

Order

The Sub Division Officer has dismissed the petition on the ground that the institution is a non Mukkuvar institution and that he has no power to interfere in the matter. His order seems to be right. appeal is therefore dismissed.

Copy"
P. Sangaranayana Esq
Dy. Commissioner

(Signed) H. Taylor Rao
Dy. Commissioner
8-12-1923

Muz 4]

SUBJECT ....
.. ..
... .

Diary No. of letter replied to _____

Section Mur
File No. 372-22
Serial No. 2

Muzrai Secretariat
( )
, *the* 192 .

No. 2276
Mur

Date of issue 31.3.23

To The Muz. Com

Signed by Mr. T.E.J. Mijar Secy

I am directed
to forward herewith
for favour of repro-
duction record bearing
Regd No 1764
the Village
Sannam

over.

Over 27/3

17

in the Kolenarasipur Taluk

appealing against the

Dy. Comrs. order in

the matter of the

appointment of a Peon

to Lakkanidevanna

alias Muthina Mudiyanna

in the said village.

I have

Dy Commr.

22/8/23

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27 7 22

Office of the [illegible]

Bangalore, [illegible]

From

L. Chandy, Esquire, B.A.,

Inspector of Inamdars in Mysore

Bangalore.

372-23

To

T.E. Jayarama Aiyar, Esquire, M.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Revenue Department

Bangalore

Sir,

With reference to your letter No.3578/Ju.329-22 dated the 31st March 1923, forwarding for report with records the appeal petition of the villagers of Servamanya Dyagowdanahalli, Hole Narsipur Taluk, I have the honor to forward herewith the records received with the Hassan Deputy Commissioner's letter, copy of which is herein enclosed and to state that the order of the Deputy Commissioner declining to interfere in the affairs of non-Inamdari institution seems to be proper.

The appeal petitions received with your letter are also enclosed.

I have the honor to be,

Sir,

Your most obedient servant,

L. Chandy

Inspector of Inamdars.

D.N.

Letter No.H.C.500-23 dated 9th June 1923 from the
Commissioner, Hassan District, to the Huzrai Comm

"With reference to your letter [illegible] dated 7th April 1923 calling for a detailed report [illegible] the petition of the villagers of Sarvamangala Hanagodu alias Holenarasipur Taluk appealing against the order in the matter of appointment of a Pujari to Lakshmidevamma alias Lakkamma of the place, I have the honor to forward herewith the papers bearing on the subject. The facts of the case are fully in my order No.Apn.2 of 22-23 dated the 8th December 1922

Copy.

To Huzrai Commissioner. 6/7/23

D.N.

Muz 4]

SUBJECT..... ....

.. ..

... .

Diary No. of letter replied to _____

Muzrai Secretariat

( )

, the *192* .

Date of issue_____

Signed by_____

Section

File No.

Serial No.

No.

Copy of the [illegible]

To

The Asst. Comr

Read

2. Adverting to yr. letter no C. 1618 &7 July 1923 reporting on the appeal petition of the Villagers of Sarvamanya Hare-gowdanahalli, Holenarasipur Taluk, regarding the Passing over Ship of the temple referred to in the G.O read above.

G.O. No. 825/Muz. 387-08-14 dated 27th September 1910 passing orders in the matter of the Punjaship of Muthuna Mudiyamma alias Lakshmidevi temple at Hara gowdanahalli, Holenarasipur Taluk and directing that, as the temple is a non-muzrai institution, the parties should determine their dispute in a proper court having jurisdiction

alias ~~Mallina Bandopadhyay~~ 24

~~I am directed to state~~ Order

That It has been already
decided by Govt so
far back as 1916 that
this temple is not a mutt
institution as it is not endowed
with any estate ~~either in~~
~~land or cash by Govt~~
~~and that~~ The contention
of the appellant that
when this decision was
passed, all the facts
relating to the case
were not before Govt
and that the institution
should be treated as a
mutt. institution cannot be
accepted. ~~I am further~~
~~to observe that~~ As the
temple is not a mutt.
institution, the mutt. officers
of Govt have no power

List of enclosures.

Copied by

Examined by

WD 0563—GPB—2,500—27-7-22

G. R. S. G/33]

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.

of interference under the Inam. Regn in the matter of the appointment of Pujari's [illegible] Inam Dy. Comrs order confirming that of the S.D. Officer dismissing the petition of the apll on the ground of want of jurisdiction was quite a proper one (and do not see no reason to interfere with the same. ~~in the case.~~ I am ~~In these reasons,~~ I request that you will The appeal is therefore be so good as inform the rejected and ~~of~~ the Murrai Comr is petrs that for the reasons requested ~~that~~ ~~the Ct appellant~~ mentioned above their ~~may file his grounds~~ appeal is rejected ~~accordingly~~. (2) the records are ~~from the~~ herewith returned appellant accordingly.

I have etc

Dec 4/8/23

Rev Secretary

To 4/8/23

The Murr Comr in Myso

WD 2230—GPB—1,00,000—23-7-20

Proceedings of the Government of H[illegible]

[illegible]

Read:-

Government order No. [illegible] dated [illegible] 1910 passing orders in the matter of the [illegible] jamma alias Lakshmidevi temple at Hebbagilu[illegible], H[illegible] Taluk, and directing that, as the temple [illegible] the parties should determine their disputes [illegible] jurisdiction.

2. Correspondence ending with [illegible] dated the July 1923 from the Muzrai Commissioner in Mysore [illegible] on the appeal petition of the villagers of Sa[illegible] Holenarasipur Taluk, regarding the Archakship of the temple to in the Government order read above.

Order No. 207/muz 372-22-4/Encl accepted

Dated, Bangalore, the 11th August 1923

It has been already decided by Government so far back as 19[illegible] that this temple is not a Muzrai Institution as it is not endowed with any Inam. The contention of the appellant that when this decision was passed, all the facts relating to the case [illegible] fore Government and that the Institution should be treated [illegible] rai Institution cannot be accepted. As the temple is not a Muzrai Institution, The Muzrai Officers of Government have no power of interference under the Muzrai Regulation in the matter of the appointment of pujaris to the same. The Deputy Commissioner's order confirming that of the Sub-Division Officer dismissing the petition of the appellant on the ground of want of jurisdiction was quite a proper one and Government see no reason to interfere with the same. The appeal is therefore rejected and the Muzrai Commissioner in Mysore [illegible]

[illegible]